

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929**

**WP(C).No. 33848 of 2007(D)**  
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**PETITIONER:**  
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**JOWINS JOSE, S/O.JOSEPH,  
MUNDATTIL HOUSE, PAINKULAM, THODUPUZHA.**

**BY ADV. SRI.G.HARIHARAN  
SRI.A.SHAJEEL**

**RESPONDENTS:**  
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- 1. REGIONAL TRANSPORT OFFICER,  
IDUKKI.**
- 2. DEPUTY TRANSPORT COMMISSIONER,  
CENTRAL ZONE II, ERNAKULAM AT KAKKANAD.**
- 3. JOINT REGIONAL TRANSPORT OFFICER,  
KOTHAMANGALAM.**
- 4. TRANSPORT COMMISSIONER,  
TRANS TOWERS, VAZHUTHAKAD, THIRUVANANTHAPURAM.**

**BY GOVT. PLEADER, SRI. GOVINDAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**ANTONY DOMINIC, J.**  
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**W.P.(C) NO. 33848 OF 2007 D**  
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**Dated this the 16<sup>th</sup> day of November, 2007**

**J U D G M E N T**

The issue raised in this writ petition is regarding the rejection of G forms filed by the petitioner. By Ext.P3, tax was demanded for the period 1.4.07 to 30.6.07. Against that demand, petitioner filed an appeal and that was remanded by Ext.P4 order of the Deputy Transport Commissioner. Following the remand as ordered by Ext.P4, 1<sup>st</sup> respondent reconsidered the matter and has passed Ext.P6 order rejecting the G Forms. Petitioner complains that before Ext.P6 order was passed, petitioner was not given a notice nor was he given an opportunity of making his representations in the matter. Petitioner submits that Ext.P6 order is unsustainable on merits also. According to him, the said order has been passed in violation of Ext.P5 circular of the Transport commissioner.

2. Since petitioner has got valid contentions in the matter, I consider that before Ext.P6 order was passed, the 1<sup>st</sup> respondent should have given notice to the petitioner. Since the petitioner was not given such a notice, I quash Ext.P6 and direct

the 1<sup>st</sup> respondent to reconsider the matter with notice to the petitioner and after affording him an opportunity of hearing.

Writ petition is disposed of as above.

**ANTONY DOMINIC, JUDGE.**

Rp